

ESTTA Tracking number: **ESTTA308955**

Filing date: **09/30/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91190746
Party	Plaintiff Citi Trends, Inc.
Correspondence Address	Rachel C. Young Hunter, Maclean, Exley & Dunn, P.C. 200 E. Saint Julian Street, Post Office Box 9848 Savannah, GA 31401 UNITED STATES trademark@huntermaclean.com
Submission	Other Motions/Papers
Filer's Name	Matthew C. Henderson
Filer's e-mail	trademark@huntermaclean.com
Signature	/Matthew C. Henderson/
Date	09/30/2009
Attachments	CITY_IMAGE_-_Initial_Disclosures.pdf (3 pages)(12477 bytes)

**UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD**

CITI TRENDS, INC.
Opposer

v.

CITY IMAGE, LLC.
Applicant

RE:

No. 77/610,916

Opposition No. 91190746

Mark: CITY IMAGE

OPPOSER’S RULE 26(a)(1) INITIAL DISCLOSURES

COMES NOW Opposer Citi Trends, Inc. (“Citi Trends”) and make the following Initial Disclosures pursuant to Fed. R. Civ. P. 26(a)(1):

- (A) The name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information:

Citi Trends identifies the following Citi Trends employees with discoverable information to support its claims: Bruce Smith and Shelley Hildebrand. These employees can be contacted through Citi Trends’ counsel.

Citi Trends reserves the right to identify an expert.

- (B) A copy of, or a description by category and location of, all documents, electronically stored information, and tangible things that are in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment:

Citi Trends identifies the following categories of documents and items located at the law offices of Hunter, Maclean, Exley & Dunn, P.C. at 200 East Saint Julian Street, Savannah, Georgia 31401 or via the United States Patent and Trademark Office website:

United States Trademark Registration No. 2,629,439 for the mark CITI CLUB;
United States Trademark Registration No. 2,881,581 for the mark CITI KNIGHTS;
United States Trademark Registration No. 2,827,710 for the mark CITI NITE;

United States Trademark Registration No. 2,874,393 for the mark CITI STEPS;
United States Trademark Registration Nos. 2,625,829, 2,860,305 3,310,831 and
3,349,441 for the mark CITI TRENDS;
United States Trademark Registration No. 2,797,832 for the mark CITI WOMEN;
United States Trademark Registration No. 3,000,703 for the mark CITI EXPRESS;
United States Trademark Registration No. 3,023,700 for the mark LIL CITI MAN;
United States Trademark Registration No. 3,186,109 for the mark CITI SCRUBS;
United States Trademark Registration No. 2,621,881 for the mark CITI TRENDS
FASHION FOR LESS; and
Associated filings with the United States Patent and Trademark Office.

Citi Trends identifies the following category of documents and items located at its
headquarters at 104 Coleman Boulevard, Savannah, Georgia 31408:

Materials supporting the use and distinction of Citi Trends' registered trademarks.

- (C) A computation of any category of damages claimed by the disclosing party,
making available for inspection and copying as under Rule 34 the documents or
other evidentiary material, not privileged or protected from disclosure, on which
such computation is based, including materials bearing on the nature and extent of
injuries suffered:

Citi Trends does not claim damages at this time, but reserves its right to do so.

- (D) For inspection and copying as under Rule 34 any insurance agreement under
which any person carrying on an insurance business may be liable to satisfy part
or all of a judgment which may be entered in the action or to indemnify or
reimburse for payments made to satisfy the judgment:

Not applicable to this case at this time.

This 30th day of September, 2009.

HUNTER, MACLEAN, EXLEY & DUNN, P.C.

/s/ Matthew C. Henderson
Matthew C. Henderson
Georgia State Bar Number 346334
Rachel C. Young
Georgia State Bar Number 747407
Attorneys for Opposer

Post Office Box 9848
Savannah, Georgia 31412
(912) 236-0261

CERTIFICATE OF SERVICE

I, Rachel C. Young, certify that I have this date served all counsel of record in the foregoing matter with a copy of **Opposer's Rule 26(a)(1) Initial Disclosures** by United States Mail with sufficient postage affixed thereto and properly addressed as follows:

Peter J. Kraybill
Gibbel Kraybill & Hess, LLP
41 E. Orange Street
Lancaster, Pennsylvania 17602-2846

This 30th day of September, 2009.

HUNTER, MACLEAN, EXLEY & DUNN, P.C.

/s/ Matthew C. Henderson _____
Matthew C. Henderson
Georgia State Bar Number 346334
Rachel C. Young
Georgia State Bar Number 747407
Attorneys for Plaintiffs

Post Office Box 9848
Savannah, Georgia 31412
(912) 236-0261